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## WAR FOOD ADMINISTRATION

[WFO 62, Amdt. 1]

## PART 1405—FRUITS AND VEGETABLES

## FIGS

War Food Order No. 62, 9 F.R. 4319 (formerly designated as Food Distribution Order No. 62, as issued by the Acting War Food Administrator on July 3, 1943, 8 F.R. 9177), is amended to read as follows:

§ 1405.12 *Restrictions relating to the use of figs*—(a) *Definitions*. (1) "Figs" means figs in the fresh, frozen, dried, or partially dried form, customarily marketed as the Calimyrna, Adriatic, Kadota, and Black Mission varieties produced in Butte, Colusa, Contra Costa, Fresno, Glenn, Kern, Kings, Madera, Merced, Sacramento, San Joaquin, Solano, Stanislaus, Sutter, Tehama, Tulare, Yuba, and Yolo Counties in the State of California.

(2) "Person" means any individual, partnership, corporation, or association, business trust or any organized group of persons, whether incorporated or not.

(3) "Director" means the Director of Distribution, War Food Administration.

(b) *Restrictions*. (1) No person shall, unless specifically authorized by the Director, sell, deliver, purchase, accept delivery of, or use figs for conversion into brandy, alcohol, any concentrate, syrup, scent, flavoring, animal feed, or any other byproduct.

(2) No person shall sell or deliver figs with knowledge or reason to believe that such figs or any portion thereof thus sold or delivered are to be used in violation of this order.

(c) *Audits and inspections*. The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of figs of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(d) *Records and reports*. (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in figs.

(e) *Petitions for relief from hardship*. Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 62, Fruit and Vegetable Branch, Office of Distribution, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (e) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(f) *Violations*. Any person who violates any provision of this order may, in accordance with the applicable proced-

ure, be prohibited from receiving, making any deliveries of, or using the material subject to priority or allocation control pursuant to this order. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(g) *Delegation of authority*. The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order; and one such employee shall be designated by the Director to serve as Order Administrator.

(h) *Communications*. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided herein or in instructions issued by the Director, be addressed to the Order Administrator, WFO 62, Fruit and Vegetable Branch, Office of Distribution, War Food Administration, Washington 25, D. C.

(i) *Effective date*. This order shall become effective at 12:01 a. m., e. w. t., July 29, 1944.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 28th day of July 1944.

WILSON COWEN,  
Assistant War Food Administrator.

War Food Administration,  
Summary to WFO 62 Amendment 1.

Frozen figs are included in restrictions on the use of Calimyrna, Adriatic, Kadota and Black Mission figs produced in 18 California counties, in non-food products, the War Food Administration has announced in an amendment, effective July 29, issued for the purpose of clarifying War Food Order 62.

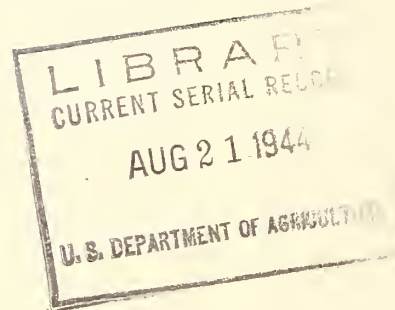
The amendment defines "figs" as in-

cluding those in fresh, frozen, dried, or partially dried form. The order regulates the utilization of figs produced in any crop year. Further clarifying the order, the amendment also strengthens the provisions relating to selling and delivering of figs.

The order provides that unless specifically authorized by the Director of Distribution, WFA, no person may sell, de-

liver, purchase, accept delivery of or use figs for conversion into alcohol, or alcoholic beverages, syrups, flavoring, animal feed, concentrates, scents, or any other by-products.

The area covered by the order is composed of Butte, Glenn, Colusa, Sutter, Yolo, Solano, Yuba, Sacramento, Contra Costa, San Joaquin, Stanislaus, Merced, Madera, Fresno, Tulare, Tehama, Kings, and Kern Counties in California.



WAR FOOD ADMINISTRATION  
OFFICE OF DISTRIBUTION  
WASHINGTON 25, D. C.  
            
OFFICIAL BUSINESS

Penalty for Private Use to Avoid Payment of  
Postage, \$300

DEPARTMENT OF AGRICULTURE

[WFO 62, as Amended, Termination]

PART 1405—FRUITS AND VEGETABLES

FIGS

War Food Order No. 62, as amended (8 F.R. 9177; 9 F.R. 4321, 4319, 9187; 10 F.R. 103), is terminated as of 12:01 a. m., e. w. t., August 1, 1945.

With respect to violations, rights ac-

rued, liabilities incurred, or appeals taken under said War Food Order No. 62, as amended, prior to the effective time of the provisions hereof, the provisions of the said War Food Order No. 62, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard

to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 3d day of August 1945.

[SEAL]

J. B. HUTSON,

Acting Secretary of Agriculture.

War Food Administration,  
Summary to WFO-62, as amended, Termination.

Termination August 1, 1945, of War Food Order 62 which prohibited the use of California figs in fresh, frozen or dried form for non-food uses without

specific authorization, was announced today by the U. S. Department of Agriculture.

This order was issued July 3, 1943 to assure that all figs of edible quality be used exclusively for food purposes and not diverted to the production of alco-

holic beverages. Since the price and supply situation for 1945 will not encourage diversion of figs to non-food uses, as was the case in 1943 and 1944, both the USDA and the California fig industry agree that the order is no longer necessary.

